

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SERJIO CURIEL, SR.,

NO. CR. S-05-113 LKK

Petitioner,

v.

O R D E R

UNITED STATES OF AMERICA,

Respondent.

_____/

The court is in receipt of the defendant's request for a copy of his transcript for the purposes of pursuing his motion under 28 U.S.C. § 2255, in which he moves to vacate, set aside or correct the sentence issued by the court on April 17, 2007. A petitioner in forma pauperis moving under 28 U.S.C. § 2255 is entitled to a copy of his transcript at the expense of the United States upon a showing that his petition is not frivolous but presents a substantial question. 28 U.S.C. § 753(f).

Here, the defendant-petitioner has filed a skeletal petition under § 2255, which he seeks to amend. His petition alleges several

1 substantial Constitutional questions and therefore does not appear
2 frivolous. His request for a transcript at the expense of the
3 United States is therefore GRANTED.

4 Once the Court Reporter provides the requested transcripts to
5 the Clerk, the Clerk is directed to mail them to the defendant-
6 petitioner.

7 IT IS SO ORDERED.

8 DATED: May 29, 2008.

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12 LAWRENCE K. KARLTON
13 SENIOR JUDGE
14 UNITED STATES DISTRICT COURT
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